

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

|                             |   |                            |
|-----------------------------|---|----------------------------|
| VINCENT LEE,                | ) |                            |
|                             | ) |                            |
| Plaintiff,                  | ) |                            |
|                             | ) |                            |
| v.                          | ) | Case No. 4:21-cv-00251-DGK |
|                             | ) |                            |
| JUDGE COREY CARTER, et al., | ) |                            |
|                             | ) |                            |
| Defendants.                 | ) |                            |

**ORDER DENYING PLAINTIFF’S MOTION FOR DEFAULT JUDGMENT**

Now before the Court is Plaintiff *pro se* Vincent Lee’s motion for default judgment. Defendant requests the Court enter a default judgment against Defendants Judge Corey Carter, Megan Pfannensteil, Mayor Quinton Lucas, Brian Platt, Marilyn Sanders, Tammy L. Queen, Douglas Jones, Terry Rynard, and Michael Shaw. ECF No. 7. According to Plaintiff’s motion, each of these defendants are City of Kansas City employees. Defendant sued each in their official and personal capacities. ECF No. 1.

Defendant argues that each of these defendants failed to answer or otherwise respond to his Complaint in their personal capacity and that the Court should therefore hold each of them in default. However, Plaintiff never served any of these defendants, and thus they cannot be held in default. *See* Fed. R. Civ. P. 4(c) (“The plaintiff is responsible for having the summons and complaint served within [90 days] and must furnish the necessary copies to the person who makes service.”); Fed. R. Civ. P. 4(a)(E) (stating that a summons must “notify the defendant that a failure to appear and defend will result in a default judgment against the defendant for the relief demanded in the complaint”).

The motion is therefore DENIED.

**IT IS SO ORDERED.**

Date: February 28, 2022

/s/ Greg Kays  
GREG KAYS, JUDGE  
UNITED STATES DISTRICT COURT